

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**Marcelle E. West**  
Debtor(s)

Bankruptcy Case No.: 21-21244-CMB  
Per July 19, 2021 Proceeding  
Chapter: 13  
Docket No.: 31 - 17  
Concil. Conf.: at

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated June 17, 2021 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$1,229.00 as of August, 2021. Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☐ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on at , in .*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: Wilkesburg Boro (Cl. #8); Wilkesburg Boro Municipal Services (Cl. #9) .
- ☒ H. Additional Terms: Park Place Securities (Cl. #3) to be paid per plan assuming LMP is successful.

No payments to Wilkesburg Boro (Cl. #5) (Cl. #6) and (Cl. #7) as property to be surrendered or claims avoided.



**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.



(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

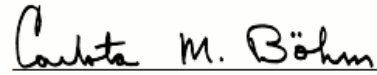
**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.

  
Carlota M. Böhm, Judge  
United States Bankruptcy Court

Dated: July 20, 2021

cc: All Parties in Interest to be served by Clerk in seven (7) days



In re:  
Marcelle E. West  
Debtor

Case No. 21-21244-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Jul 20, 2021

User: dric  
Form ID: 149

Page 1 of 3  
Total Noticed: 32

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |
| ++     | Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).   |

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 22, 2021:

| Recip ID | Recipient Name and Address   |
|----------|--|
| db       | + Marcelle E. West, 2504 Laketon Road, Pittsburgh, PA 15235-2764   |
| cr       | + Peoples Natural Gas Company LLC, GRB Law, Frick Building, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101                                |
| cr       | + Wilkinsburg School District and Borough of Wilkins, c/o Maiello Brungo & Maiello, LLP, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441       |
| 15379000 | + Borough of Wilkinsburg, 605 Ross Avenue, Pittsburgh, PA 15221-2198   |
| 15379004 | CVCS, P.O. Box 164, Columbus, OH 43216   |
| 15379003 | County of Allegheny, c/o Goehring, Rutter & Boehm, 14th Floor, Frick Building, Pittsburgh, PA 15219  |
| 15379005 | Duquesne Light Company, c/o Allison L. Carr, Esquire, Bernstein-Burkley, P.C., Pittsburgh, PA 15219-1900   |
| 15386357 | Duquesne Light Company, c/o Keri P. Ebeck, Esquire, Bernstein-Burkley, P.C., Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1900                     |
| 15379006 | + Forbes Regional Hospital, 2566 Haymaker Road, Monroeville, PA 15146-3517   |
| 15379008 | + NY State Higher Educ. Svcs. Corp., 99 Washington Ave., Albany, NY 12255-0002   |
| 15379007 | New Century Financial Services, Inc., c/o Pressler and Pressler, LLP, 7 Entin Road, Parsipanny, NJ 07054-5020                                      |
| 15379009 | + Parker McKay, P.A., 9000 Midlantic Drive, Suite 3000, P.O. Box 5054, Mount Laurel, NJ 08054-5054   |
| 15383829 | + Peoples Natural Gas Company LLC, c/o GRB Law, Frick Building, 437 Grant Street, 14th Floor, Pittsburgh, PA 15219-6101                            |
| 15379010 | + Peoples Natural Gas Company, LLC, 375 N. Shore Drive, Suite 600, Pittsburgh, PA 15212-5866   |
| 15386360 | + Peoples Natural Gas Company, LLC., c/o S. James Wallace, Esquire, GRB Law, Frick Bldg, 437 Grant Street, 14th Fl., Pittsburgh, PA 15219-6101     |
| 15385515 | + U.S. Bank National Association Trustee (See 410), c/o Specialized Loan Servicing LLC, 6200 S. Quebec St., Greenwood Village, Colorado 80111-4720 |
| 15379012 | + U.S. Bank, N.A., c/o Specialized Loan Servicing, LLC, 6200 S. Quebec Street, Greenwood Village, CO 80111-4720                                    |
| 15386363 | + Wilkinsburg Borough, c/o Maiello, Brungo & Maiello, LLP., Foxpointe II, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441                      |
| 15379013 | + Wilkinsburg School District, c/o Maiello Brungo & Maiello, Foxpointe II, 100 Purity Road, Suite 3, Pittsburgh, PA 15235-4441                     |
| 15379014 | + Wilkinsburg-Penn Joint Water Authority, 2200 Robinson Blvd., Pittsburgh, PA 15221-1193   |

TOTAL: 20

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

| Recip ID | Notice Type: Email Address                        | Date/Time            | Recipient Name and Address   |
|----------|---|----------------------|--|
| cr       | + Email/Text: kburkley@bernsteinlaw.com           | Jul 21 2021 07:09:00 | Duquesne Light Company, c/o Bernstein-Burkley, P.C., 707 Grant Street, Suite 2200, Gulf Tower, Pittsburgh, PA 15219-1945 |
| 15386356 | Email/Text: bnc@atlasacq.com                      | Jul 21 2021 07:09:00 | Atlas Acquisitions, LLC, 492C Cedar Lane, Ste. 442, Teaneck, NJ 07666  |
| 15379001 | + Email/Text: documentfiling@lciinc.com           | Jul 21 2021 07:09:00 | Comcast, 300 Corliss Street, Pittsburgh, PA 15220-4864   |
| 15379002 | + Email/Text: bankruptcy@consumerportfolio.com    | Jul 21 2021 07:09:00 | Consumer Portfolio Services, Inc, PO Box 57071, Irvine, CA 92619-7071  |
| 15386358 | Email/Text: JCAP_BNC_Notices@jcap.com             | Jul 21 2021 07:09:00 | Jefferson Capital Services, LLC, P.O. Box 7999, Saint Cloud, MN 56302-7999   |
| 15394886 | Email/Text: JCAP_BNC_Notices@jcap.com             | Jul 21 2021 07:09:00 | Jefferson Capital Systems LLC, Po Box 7999, Saint Cloud MN 56302-9617  |
| 15380679 | + Email/PDF: resurgentbknofications@resurgent.com | Jul 21 2021 07:10:54 | PYOD, LLC, Resurgent Capital Services, PO Box 19008, Greenville, SC 29602-9008   |



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|          |   |                      |  |
|----------|---|----------------------|--|
| 15386361 | + Email/PDF: resurgentbknofications@resurgent.com | Jul 21 2021 07:10:54 | PYOD, LLC, its successors and assigns as, assignee of Roundup Funding, LLC., c/o Resurgent Capital Services, P.O. Box 19008, Greenville, SC 29602-9008 |
| 15386359 | Email/Text: RVSVCBICNOTICE1@state.pa.us           | Jul 21 2021 07:09:00 | Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946  |
| 15379011 | Email/Text: bnc-quantum@quantum3group.com         | Jul 21 2021 07:09:00 | Quantum3 Group, LLC as agent for, Sadino Funding, LLC, P.O. Box 788, Kirkland, WA 98083-0788   |
| 15394820 | Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM         | Jul 21 2021 07:21:14 | Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457  |
| 15386362 | Email/PDF: EBN_AIS@AMERICANINFOSOURCE.COM         | Jul 21 2021 07:21:14 | Verizon, by American InfoSource as agent, P.O. Box 248838, Oklahoma City, OK 73124-8838  |

TOTAL: 12

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

| Recip ID | Bypass Reason | Name and Address   |
|----------|---------------|--|
| cr       |               | Park Place Securities, Inc., Asset-Backed Pass-Thr   |
| cr       | *P++          | ATLAS ACQUISITIONS LCC, 492C CEDAR LANE SUITE 442, TEANECK NJ 07666-1713, address filed with court:, Atlas Acquisitions LLC, 492C Cedar Lane, Ste 442, Teaneck, NJ 07666 |
| 15389157 | *P++          | ATLAS ACQUISITIONS LCC, 492C CEDAR LANE SUITE 442, TEANECK NJ 07666-1713, address filed with court:, Atlas Acquisitions LLC, 492C Cedar Lane, Ste 442, Teaneck, NJ 07666 |
| 15386886 | *             | Pennsylvania Department of Revenue, Bankruptcy Division PO Box 280946, Harrisburg, PA 17128-0946   |

TOTAL: 1 Undeliverable, 3 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 22, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 20, 2021 at the address(es) listed below:

| Name               | Email Address  |
|--------------------|--|
| Jennifer L. Cerce  | on behalf of Creditor Wilkinsburg School District and Borough of Wilkinsburg jlc@mbm-law.net   |
| Keri P. Ebeck      | on behalf of Creditor Duquesne Light Company kebeck@bernsteinlaw.com jbluemle@bernsteinlaw.com   |
| Maria Miksich      | on behalf of Creditor Park Place Securities Inc., Asset-Backed Pass-Through Certificates, Series 2004-WWF1, U.S. Bank National Association, as Trustee, successor in interest to Wachovia Bank, N.A., as Trustee mmiksich@kmlawgroup.com |
| Michael S. Geisler | on behalf of Debtor Marcelle E. West m.s.geisler@att.net<br>msgeis@yahoo.com;michaelgeisler13@gmail.com;r52973@notify.bestcase.com   |



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Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winnecour

cmecf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 7